

JC02 Rec'd ACT/PTO 06 JUN 2005

PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/526,110
Filing Date	February 28, 2005
First Named Inventor	SIEGEL, Jerome et al.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	2307AA-128410US

ENCLOSURES (Check all that apply)

- | | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
PTO/SB/08A and /08B Forms;
18 Reference Copies; and
Return Postcard |
|---|---|--|

Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
---------	--

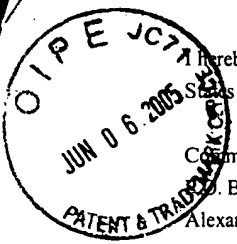
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Nathan S. Cassell		
Date	6-3-05	Reg. No.	42,396

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Brad J. Loos	Date	06/03/05



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Attorney Docket No.: 2307AA-128410US

On 06/03/05

TOWNSEND and TOWNSEND and CREW LLP

By: 
Brad J. Loos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SIEGEL, Jerome et al.

Application No.: 10/526,110

Filed: February 28, 2005

For: HYPOCRETIN
ADMINISTRATION AS A
TREATMENT FOR OBESITY

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

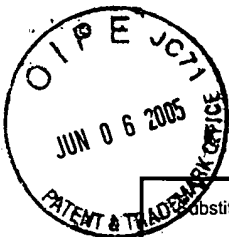
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Nathan S. Cassell
Reg. No. 42,396

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
NSC:bjl
60506165 v1



Substitute for form 1449A&B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/526,110
Filing Date	February 28, 2005
First Named Inventor	SIEGEL, Jerome et al.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	2307AA-128410US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>

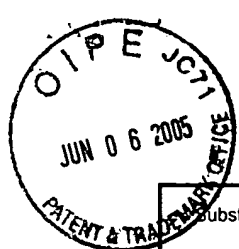
NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AA	DE LECEA L, KILDUFF T, PEYRON C, GAO XB, FOYE PE, DANIELSON PE, FUKAHARA C, BATTENBERG ELF, GAUTVIK VT, BARLETT FS, FRANKEL WN, VAN DEN POL AN, BLOOM F, GAUTVIK KM, SUTCLIFFE JG (1998) The hypocretins: Hypothalamus-specific peptides with neuroexcitatory activity. Proc. Natl. Acad. Sci. USA 95:322-327.	
	AB	DUBE MG, KALRA SP, KALRA PS (1999) Food intake elicited by central administration of orexins/hypocretins: identification of hypothalamic sites of action. Brain Res 842:473-477.	
	AC	EDWARDS CM, ABUSNANA S, SUNTER D, MURPHY KG, GHATEI MA, BLOOM SR (1999) The effect of the orexins on food intake: comparison with neuropeptide Y, melanin-concentrating hormone and galanin. J. Endocrinol. 160:R7-12.	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



Substitute for form 1449A&B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/526,110
				Filing Date	February 28, 2005
				First Named Inventor	SIEGEL, Jerome et al.
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	2307AA-128410US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	AD	HARA J, BEUCKMANN CT, NAMBU T, WILLIE JT, CHEMELLI RM, SINTON CM, SUGIYAMA F, YAGAMI K, GOTO K, YANAGISAWA M, SAKURAI T (2001) Genetic ablation of orexin neurons in mice results in narcolepsy, hypophagia, and obesity. Neuron 30:345-354.		
	AE	IDA T, NAKAHARA K, KATAYAMA T, MURAKAMI N, NAKAZATO M (1999) Effect of lateral cerebroventricular injection of the appetite-stimulating neuropeptide, orexin and neuropeptide Y, on the various behavioral activities of rats. Brain Res 821:526-529.		
	AF	JOHN J, WU MF, SIEGEL JM (2000) Systemic administration of hypocretin-1 reduces cataplexy and normalizes sleep and waking durations in narcoleptic dogs. Sleep Res. Online 3:23-28 http://www.sro.org/2000/John/23/ .		
	AG	KIYASHCHENKO LI, MILEYKOVSKIY BY, LAI YY, SIEGEL JM (2001) Increased and decreased muscle tone with orexin (hypocretin) microinjections in the locus coeruleus and pontine inhibitory area. J. Neurophysiol. 85:2008-2016.		
	AH	LEVITT DR, TEITELBAUM P (1975) Somnolence, akinesia, and sensory activation of motivated behavior in the lateral hypothalamic syndrome. Proc. Natl. Acad. Sci. U.S.A. 72:2819-2823.		
	AI	LIN L, FARACO J, KADOTANI H, ROGERS W, LIN X, QUI X, DE JONG P, NISHINO S, MIGNOT E (1999) The REM sleep disorder canine narcolepsy is caused by a mutation in the hypocretin (orexin) receptor gene. Cell 98:365-376.		
	AJ	SAKURAI T, AMEMIYA A, ISHII M, MATSUZAKI I, CHEMELLI RM, TANAKA H, WILLIAMS SC, RICHARDSON JA, KOZLOWSKI GP, WILSON S, ARCH JR, BUCKINGHAM RE, HAYNES AC, CARR SA, ANNAN RS, MCNULTY DE, LIU WS, TERRETT JA, ELSHOUBAGY NA, BERGSMAN DJ, YANAGISAWA M (1998) Orexins and orexin receptors: a family of hypothalamic neuropeptides and G protein-coupled receptors that regulate feeding behavior. Cell 92:573-585.		
	AK	SCHULD A, HEBEBRAND J, GELLER F, POLLMACHER T (2000) Increased body-mass index in patients with narcolepsy. Lancet 355:1274-1275.		
	AL	SIEGEL JM (1999) Narcolepsy: A key role for hypocretins (orexins). Cell 98:409-412.		
	AM	SWEET DC, LEVINE AS, BILLINGTON CJ, KOTZ CM (1999) Feeding response to central orexins. Brain Res 821:535-538.		
	AN	THANNICKAL TC, MOORE RY, NIENHUIS R, RAMANATHAN L, GULYANI S, ALDRICH M, CORNFORD M, SIEGEL JM (2000) Reduced number of hypocretin neurons in human narcolepsy. Neuron 27:469-474.		
	AO	TRITOS NA, MASTAITIS JW, KOKKOTOU E, MARATOS-FLIER E (2001) Characterization of melanin concentrating hormone and prepro-orexin expression in the murine hypothalamus. Brain Res 895:160-166.		
	AP	WILLIE JT, CHEMELLI RM, SINTON CM, YANAGISAWA M (2001) To eat or to sleep? Orexin in the regulation of feeding and wakefulness. Annu. Rev. Neurosci. 24:429-458.		
	AQ	YAMAMATO Y, UETA Y, DATE Y, NAKAZATO M, HARA Y, SERINO R, NOMURA M, SHIBUYA I, MATSUKURA S, YAMASHITA H (1999) Down regulation of the prepro-orexin gene expression in genetically obese mice. Brain Res Mol Brain Res 65:14-22.		
	AR	YAMANAKA A, SAKURAI T, KATSUMOTO T, YANAGISAWA M, GOTO K (1999) Chronic intracerebroventricular administration of orexin-a to rats increases food intake in daytime, but has no effect on body weight. Brain Res 849:248-252.		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.